

IV. REMARKS

Status of the Claims

Claim 2 is amended to be independent and includes all of the limitations of claim 1 from which it originally depended. In addition claim 2 is amended to remove the objection raised by the Examiner in the subject office action. Claims 1-6 are under consideration.

Summary of the Office Action

Claims 1 and 4-6 stand rejected under 35USC103(a) on the basis of the cited reference Kronestedt, U.S. Patent No. 6,308,082 in view of admitted prior art. The Examiner is respectfully requested to reconsider his rejection in view of the amendment and the following remarks. Claims 2 and 3 are indicated as allowable if written in independent form.

The above amendment is submitted to resolve any remaining issues with respect to claims 2 and 3 and to thereby simplify the issues should an appeal be taken. We believe that such amendments are properly entered under 37USC1.116

Applicant has amended the specification to include the substance of claims 2 and 3. Since the claims themselves are a sufficient disclosure of the claimed elements, there inclusion in the specification does not constitute new matter. The specification therefore, fully supports claims 2 and 3, and applicant submits that the rejection under 35USC112 is avoided.

Applicant submits a copy of the form PTO-1449 sent with applicant's previous response in order to complete the requirements to the Information Disclosure Statement filed on July 31, 2000.

Responsive Remarks

In applicant's prior response, it was argued that a central idea in the present invention is that the channel coding and/or interleaving schemes should be chosen independently for each new connection that is to be set up, so that when the request for setting up of a connection includes certain QoS parameters that the new connection should fulfil, the decision-making device will take the requested QoS parameters and use them as a basis for selecting the appropriate, connection-specific channel coding and/or interleaving schemes.

This is not disclosed in the reference Kronestedt and, as admitted by the Examiner, the so called admitted prior art does not remedy this deficiency. Apparently the Examiner places no weight on this significant difference. In order to illustrate this difference, Applicant submits the following examples:

In the system of this application:

A new connection is to be set up. In order to be useful for a certain predetermined purpose, the connection should operate according to certain Quality of Service parameters. These QoS parameters are announced to a decision-making entity as a part of the request for setting up the new connection. The decision-making entity says: "Well, let's see. You require QoS of this particular kind. We might achieve it if you used channel coding method XX and interleaving scheme YY. So there. We will set up the connection for you. Be prepared to use channel coding method XX and interleaving scheme YY when you begin communicating. The application next to you is currently using channel coding method AA and interleaving scheme BB, but you don't need to bother about him, he has completely different QoS requirements so AA and BB are quite appropriate for him."

In the system of the reference Kronestedt:

There are a number of communication connections simultaneously active. Everyone is using channel coding method XX and modulation method ZZ. In each connection, the connection quality is measured regularly, and the measurement results are sent to a centralized

control entity. The control entity goes through the recent measurement reports and starts thinking: "Oops. Looks quite alarming. The average quality experienced in our ongoing connections is dropping. We are in trouble soon if we don't take any countermeasures. But channel coding method XX, which they are all using, is quite vulnerable to unfavourable signal propagation conditions, remember?. Why don't we try something else? It is known that channel coding method AA gives better quality, although it requires somewhat heavier processing. Well, sooner a bit more processing than truckloads of lost frames due to bad quality." Then the control entity shouts out loud: "Hey there, all of you! Everyone change from channel coding method XX to channel coding method AA, on my count, one-two-three NOW!"

Although the above examples are simplistically presented, they illustrate very clearly the difference between the subject invention, as described in independent claims 1 and 6 and the system of Kronestedt. This difference is not rendered obvious by the admitted prior art as indicated by the Examiner. Neither of the references, either alone or in combination, teach the connection specific allocation of this invention.

In view of the remarks stated above, Applicant submits that all of the claims under consideration contain patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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26 April 2004
Date

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